

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

*United States of America v. Pierce Xavier Cottingham*  
Case No. 3:20-cr-00030-TMB-KFR-1

By: THE HONORABLE TIMOTHY M. BURGESS

PROCEEDINGS: ORDER FROM CHAMBERS

The matter comes before the Court on Defendant Pierce Xavier Cottingham’s Motion for Early Termination of Supervised Release (the “Motion”).<sup>1</sup> Neither Plaintiff United States of America (the “Government”) nor United States Probation and Pretrial Services (“USPO”) opposes the Motion.<sup>2</sup> This matter is ripe for resolution.

Cottingham moves for early termination of his supervised release based on his fulfillment of his restitution obligations and becoming a “productive member of society” since his release.<sup>3</sup> Cottingham states that although he has historically struggled with chronic homelessness, he has taken advantage of USPO’s resources and support to obtain a place of his own and engage in therapy.<sup>4</sup> Cottingham notes that he now has a landscaping job and is attempting to regain his driver’s license, which will allow him to receive a promotion at work.<sup>5</sup>

The Government does not oppose the Motion, stating that it “has no reason to believe [Cottingham] poses a threat to the safety of the community should he be discharged from supervision.”<sup>6</sup> USPO also does not oppose the Motion and indicates that Cottingham has made significant progress since his release.<sup>7</sup>

18 U.S.C. § 3583(e)(1) allows a court—after considering the factors set forth in 18 U.S.C. § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—to “terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.”

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<sup>1</sup> Dkt. 77 (Motion).

<sup>2</sup> *See id.* at 2 (noting that USPO “reached out to [Cottingham’s] counsel in June of 2023 to note that [Cottingham] is eligible for early termination but otherwise could not provide a position”); Dkt. 79 (Response).

<sup>3</sup> Dkt. 77 at 3.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Dkt. 79 at 2.

<sup>7</sup> Dkt. 77 at 3.

Having reviewed the briefing in this matter, and considering the factors set forth in 18 U.S.C. § 3553(a), the Court finds that early termination of Cottingham's supervised release is warranted at this time.<sup>8</sup>

Accordingly, the Court **GRANTS** the Motion at Docket 77. FURTHER, it is hereby ORDERED that Cottingham's term of supervised release is terminated effective the date of this Order.

Entered at the direction of the Honorable Timothy M. Burgess, United States District Judge.

DATE: September 25, 2023.

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<sup>8</sup> The Court observes that Cottingham's supervised release was revoked in May 2022. But in light of Cottingham's reported progress and the Government and USPO's non-opposition, the Court is persuaded that early termination is appropriate.